

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY g D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

RHODNEY ROBERSON,

Petitioner,

VS.

DAVID MILLS,

Respondent.

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No. 05-2434-T/An

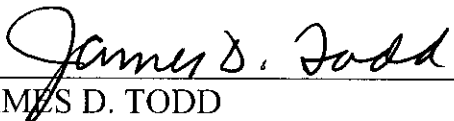
ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS*
AND
ORDER DIRECTING PETITIONER TO PAY THE HABEAS FILING FEE

Petitioner Rhodney Roberson, Tennessee Department of Correction prisoner number 210863, an inmate at the West Tennessee State Penitentiary ("WTSP") in Henning, Tennessee, filed a *pro se* petition pursuant to 28 U.S.C. § 2254 in the Western Division of this district on June 15, 2005, along with an application seeking leave to proceed *in forma pauperis*. District Judge Samuel H. Mays, Jr. issued an order on June 24, 2005 transferring the petition to the Eastern Division of this district, where the convicting court is located. The Clerk of Court shall record the respondent as WTSP warden David Mills.

Based on the information contained in the petitioner's affidavit, and in his inmate trust fund account statement, the motion to proceed *in forma pauperis* is DENIED. Petitioner is ORDERED to remit the \$5.00 habeas filing fee 30 days of the date of entry of

this order. Failure to timely comply with any requirement of this order will result in dismissal of the petition without further notice for failure to prosecute.

IT IS SO ORDERED this 17th day of August, 2005.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02434 was distributed by fax, mail, or direct printing on August 18, 2005 to the parties listed.

Rhodney Roberson
WEST TENNESSEE STATE PENITENTIARY
00210863
480 Green Chapel Road
P.O. Box 1150
Henning, TN 38041--115

Honorable James Todd
US DISTRICT COURT